

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 28, 1998**

## DIVISION ONE

B119206      Scott Broad      (Not for Publication)  
v.  
Toyota Motor Sales, U.S.A., Inc.

The order is reversed, and the cause is remanded to the trial court with directions to determine and award to Broad the amount of fees and costs reasonably incurred in connection with the commencement and prosecution of this action. Broad is awarded his costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Masterson, J.

## DIVISION TWO

B108636      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Charlene M.

The appeal is dismissed.

Boren, P.J.

We concur: Nott, J.  
Zebrowski, J.

September 28, 1998-Continued

### DIVISION THREE

B123133      Norman D.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is granted. The order setting a hearing under section 366.26 is reversed and the matter remanded to the juvenile court for further proceedings consistent with the views expressed herein.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B114801      People                                  (Not for Publication)  
v.  
**Wilson Jian Ban Chen**

The judgment is affirmed as to all counts.

Goodman, J. (Assigned)

We concur: Klein, P.J.  
Kitching, J.

## DIVISION FOUR

B113496 People v. Palacios (Not for Publication)  
B125202 In re: Alfonso Palacios On Habeas Corpus

The judgment is reversed and the matter remanded to the superior court for further proceedings consistent with this opinion. The petition for writ of habeas corpus is dismissed as moot.

Cooper (F.M.), J. (Assigned)

We concur: Vogel (C.S.), P.J.  
Epstein, J.

DIVISION FOUR (Continued)

B117255     Duke Development Company     (Not for Publication)

v.  
City of Los Angeles

The judgment is affirmed.

Cooper (F.M.), J. (Assigned)

We concur:   Vogel (C.S.), P.J.  
                  Epstein, J.

B107447     Worldwide Underwriters  
                  Insurance Company     (Not for Publication)

v.  
Ellis & Kingston

The judgment is affirmed.

Cooper (F.M.), J. (Assigned)

We concur:   Vogel (C.S.), P.J.  
                  Hastings, J.

DIVISION FIVE

B107604     Hugo Navarro, et al.     (Not for Publication)

v.  
General Motors Corp.

The judgment is affirmed. Respondents to recover costs.

Godoy Perez, J.

We concur:   Grignon, Acting P.J.  
                  Armstrong, J.

DIVISION FIVE (Continued)

B114611      Hugo Navarro, et al.      (Not for Publication)

v.  
General Motors Corp.

The judgment is affirmed. Respondents to recover costs.

Godoy Perez, J.

We concur:   Grignon, Acting P.J.  
                  Armstrong, J.

B115430      Dorothy Baptista      (Not for Publication)

v.  
The Los Angeles City Employers Retirement System, et al.

The judgment is affirmed. The parties shall bear their own costs on appeal.

Grignon, Acting P.J.

I concur:      Armstrong, J.  
I dissent:      Godoy Perez, J.(Opinion)

B117522      People      (Not for Publication)

v.  
Kevin Floyd

The judgment is affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                  Godoy Perez, J.

B113238      Jose Martinez & Teresa Monterroso

v.  
Lazaro Vargas & Efigenia Vargas

Filed order denying petition for rehearing.

September 28, 1998-Continued

## DIVISION FIVE (Continued)

B111589 People  
v.  
Edward Charles Corbin

Filed order denying petition for rehearing.

## DIVISION SIX

B117981 People (Not for Publication)  
v.  
Arroyo

Accordingly, the judgment is vacated.

Stone, P.J.

We concur:    Gilbert, J.  
                         Coffee, J.

## DIVISION SEVEN

102638-98 THE HONORABLE ,OWEN LEE KWONG, Judge of the Los Angeles Superior Court, Los Angeles County, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Seven, as a Justice thereof, on the following dates:

October 11, 1998

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: September 17, 1998

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council

September 28, 1998-Continued

DIVISION SEVEN (Continued)

102637-98 THE HONORABLE , PAUL BOLAND, Judge of the Los Angeles Superior Court, Los Angeles County, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Seven, as a Justice thereof, on the following dates:

October 1, 1998 To November 30, 1998

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: September 17, 1998

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council